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General Assembly

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Fifty-sixth session
Agenda item 30 (*a*)

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/56/L.17 and Add.1)*]

56/12. Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 55/7 of 30 October 2000 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea ("the Convention")[1] on 16 November 1994,

Recalling also its resolution 2749 (XXV) of 17 December 1970, and considering that the Convention, together with the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement"),[2] provides the regime to be applied to the Area and its resources as defined in the Convention,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[3]

Conscious of the importance of increasing the number of States parties to the Convention and the Agreement in order to achieve the goal of universal participation,

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[1] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[2] Resolution 48/263, annex.

[3] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

Conscious also that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Recalling that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, interregional, regional or global framework is to support and supplement the national efforts of all States, including coastal States, to promote the integrated management and sustainable development of coastal and marine areas,

Mindful of the importance of the oceans and seas for the earth's ecosystem and for providing the vital resources for food security and for sustaining economic prosperity and the well-being of present and future generations,

Bearing in mind the contribution that major groups, as identified in Agenda 21, can make to raising awareness of the goal of the sustainable development of the oceans and seas,

Underlining once again the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Taking note of the report of the Secretary-General,[4] and reaffirming the importance of the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process ("the Consultative Process") established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its second meeting,[5]

Bearing in mind that marine science, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making, is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict, mitigate the effects of and respond to natural events, and promoting the sustainable development of the oceans and seas,

Reaffirming the need to achieve the effective application of marine scientific knowledge and technology, through cooperation at the regional and global levels, by ensuring access of decision makers to relevant advice and information, as well as to

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[4] A/56/58 and Add.1.

[5] See A/56/121.

the transfer of technology and support for the production and diffusion of factual data and knowledge for end-users, as appropriate, taking fully into account socio-economic factors and traditional ecological knowledge,

Emphasizing the urgent need for cooperation at the international level to address the issue of the acquisition, generation and transfer of marine scientific data to assist coastal developing States,

Convinced of the need to develop, where appropriate, a strong regional focus in marine scientific research and technology, through existing regional organizations, arrangements and programmes, so as to ensure the most effective use of the available resources and the protection and preservation of the marine environment, particularly by avoiding duplication and by achieving a holistic approach to the scientific study of the oceans and their resources,

Expressing deep concern once again at the continued increase in the number of incidents of piracy and armed robbery at sea, the harm they cause to seafarers, and the threats they pose to the safety of shipping and to the other uses of the sea, including marine scientific research and, consequently, to the marine and coastal environment, which are exacerbated further by the involvement of transnational organized crime,

Emphasizing, in this context, the need for the capacity-building and cooperation of all States and relevant international bodies at both the regional and global levels, as well as the business sectors, to prevent and combat piracy and armed robbery at sea,

Recognizing the importance of enhancing the safety of navigation, the need to provide accurate and up-to-date charts of world oceans in order to promote maritime safety, and the need to build hydrographic capacity, in particular for those States that do not yet have adequate hydrographic services,

Reiterating its serious concern at the increase in illegal, unreported and unregulated fishing, and recognizing the importance of combating such activities, particularly by strengthening bilateral cooperation, as well as through the relevant regional fisheries management organizations and arrangements, and through the implementation of appropriate enforcement measures,

Expressing its deep concern once again at the degradation of the marine environment, particularly from land-based activities, and emphasizing the need for international cooperation and for a coordinated approach at the national and regional levels to this problem, bringing together the many different economic sectors involved and protecting the ecosystems, and in this context reaffirming the importance of ensuring the full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[6]

Reiterating its concern also at the adverse impacts on the marine environment from ships, including pollution, in particular through the illegal release of oil and other harmful substances and by the dumping of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, as well as the physical impacts on coral,

Welcoming resolution GC(45)/RES/10 adopted on 21 September 2001 by the General Conference of the International Atomic Energy Agency at its forty-fifth

[6] A/51/116, annex II.

regular session, concerning measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, including those aspects relating to maritime transport safety,[7]

Bearing in mind the World Summit on Sustainable Development, to be held in Johannesburg, South Africa, in 2002, and emphasizing the importance, in the preparations for the Summit, of addressing the sustainable development of oceans and seas,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the progress in the work of the Commission on the Limits of the Continental Shelf ("the Commission") and the anticipated receipt of submissions from States,

I. Implementation of the Convention

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention[1] and the Agreement;[2]

2. *Reaffirms* the unified character of the Convention;

3. *Calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;

4. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;

5. *Takes note* of the imminent entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;[8]

II. Capacity-building

6. *Urges* the international community to assist, as appropriate, developing countries, in particular least developed countries and small island developing States, in the acquisition of data and the preparation of charts or lists of geographical coordinates for publication under articles 16, 22, 47, 75 and 84 of the Convention and in the preparation of information under article 76 and annex II to the Convention;

7. *Calls upon* bilateral and multilateral donor agencies to keep their programmes systematically under review to ensure the availability in all States,

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[7] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-fifth Regular Session, 17–21 September 2001* (GC(45)/RES/DEC(2001)).

[8] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

8. *Requests* the Secretary-General, in cooperation with the competent international organizations and programmes, including the Food and Agriculture Organization of the United Nations, the International Labour Organization, the International Hydrographic Organization, the International Maritime Organization, the United Nations Development Programme, the United Nations Industrial Development Organization, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the United Nations Conference on Trade and Development, the World Meteorological Organization and the World Bank, as well as representatives of regional development banks and the donor community, to review the efforts being made to build capacity as well as to identify the duplications that need to be avoided and the gaps that may need to be filled for ensuring consistent approaches, both nationally and regionally, with a view to implementing the Convention, and to include a section on this subject in his annual report on oceans and the law of the sea;

III. Meeting of States Parties

9. *Requests* the Secretary-General to convene the twelfth Meeting of States Parties to the Convention in New York from 16 to 26 April 2002 and to provide the services required;

IV. Settlement of disputes

10. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, underlines its important role and authority concerning the interpretation or application of the Convention and the Agreement, encourages States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

11. *Recalls* the obligations of parties under article 296 of the Convention, in cases before a court or a tribunal referred to in article 287 of the Convention, to ensure prompt compliance with the decisions rendered by such court or tribunal;

12. *Encourages* States that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and circulate lists of these conciliators and arbitrators on a regular basis;

V. The Area

13. *Notes with satisfaction* the ongoing work of the International Seabed Authority ("the Authority"), including the issuance of contracts for exploration in

accordance with the Convention, the Agreement and the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area;[9]

14. *Notes* the ongoing elaboration of recommendations for the guidance of contractors to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, and notes that the Council of the Authority will continue to consider issues relating to regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area at the next session of the Authority, to be held in Kingston from 5 to 16 August 2002;

VI. Effective functioning of the Authority and the Tribunal

15. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

16. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[10] and to the Protocol on the Privileges and Immunities of the Authority;[11]

VII. The continental shelf

17. *Notes with satisfaction* the work of the Commission and its readiness to receive submissions by coastal States regarding the establishment of the outer limits of their continental shelf beyond 200 nautical miles, and encourages concerned States and relevant international organizations and institutions to consider developing and making available training courses to assist States in the preparation of such submissions;

18. *Takes note* of the decision of the eleventh Meeting of States Parties to the Convention that, in the case of a State party for which the Convention entered into force before 13 May 1999, it is understood that the ten-year time period referred to in article 4 of annex II to the Convention shall be taken to have commenced on 13 May 1999;[12]

19. *Encourages* States parties that are in a position to do so to make every effort to make submissions to the Commission within the time period established by the Convention;

20. *Approves* the convening by the Secretary-General of the tenth session of the Commission in New York starting on 25 March 2002, of a duration of three weeks in the event of a submission being filed, or of one week, depending on the workload of the Commission, of the eleventh session from 24 to 28 June 2002, and of the twelfth session from 26 to 30 August 2002;

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[9] The contract with the remaining registered pioneer investor is expected to be issued in the very near future.
[10] SPLOS/25.
[11] ISBA/4/A/8, annex.
[12] SPLOS/72.

VIII. Marine science and technology

21. *Stresses* the importance of the issues of marine science and technology and the need to focus on how best to implement the many obligations of States and competent international organizations under Parts XIII and XIV of the Convention, and calls upon States to adopt, as appropriate and in accordance with international law, such national laws, regulations, policies and procedures as are necessary to promote and facilitate marine scientific research and cooperation, especially those relating to consent for marine scientific research projects as provided for in the Convention;

22. *Calls upon* States, through national and regional institutions, to ensure that, in respect of marine scientific research conducted pursuant to Part XIII of the Convention in areas over which a coastal State has jurisdiction, the rights of the coastal State under the Convention are respected and that, at the request of the coastal State, information, reports, results, conclusions and assessments of data, samples and research results are made available, and access to data and samples are provided, to that coastal State;

23. *Invites* the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization to request its Advisory Body of Experts on the Law of the Sea to work, in close cooperation with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat and in consultation with relevant regional or subregional organizations as appropriate, on the development of procedures under Part XIII of the Convention;

24. *Invites* the relevant United Nations agencies to continue to promote various ocean science programmes, strengthen the coordination among such programmes and develop rules, regulations and procedures within the framework of the Convention so as to facilitate the effective implementation of the programmes;

25. *Urges* relevant bodies of the United Nations system to develop, with the Intergovernmental Oceanographic Commission acting as a focal point, appropriate interactions in the field of marine science with regional fisheries organizations, environmental and scientific bodies or regional centres foreseen by Part XIV of the Convention, and encourages States to establish, where appropriate, such regional centres;

26. *Calls upon* States, through national and regional institutions engaged in marine scientific research, to ensure that the knowledge resulting from marine scientific research and monitoring is made available in a user-friendly data format, especially to developing countries, so that it can be employed by decision makers and resource managers with a view to the effective application of marine research knowledge and technology;

27. *Stresses* the importance of increasing the scientific understanding of the oceans/atmosphere interface and other factors required for an integrated ecosystem-based approach to the management of oceans and coastal areas, including through participation in ocean observing programmes and geographic information systems;

28. *Calls upon* States, through bilateral, regional and international financial organizations and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels, and transferring environmentally sound technologies;

IX. Piracy and armed robbery

29. *Urges* all States and relevant international bodies to prevent and combat piracy and armed robbery at sea by adopting measures, including assisting with capacity-building, for prevention, for reporting and investigating incidents, and for bringing the alleged perpetrators to justice, in accordance with international law, in particular through training seafarers, port staff and enforcement personnel, providing enforcement vessels and equipment and guarding against fraudulent ship registration;

30. *Welcomes* initiatives of the International Maritime Organization and Governments aimed at enhancing international cooperation, particularly at the regional level, and encourages the development by Governments, based on mutual trust, of a common approach to enforcement, investigation and prosecution in dealing with piracy and armed robbery at sea;

31. *Calls upon* States and private entities concerned to cooperate fully with the International Maritime Organization, including by submitting reports on incidents to the organization and by implementing its guidelines on preventing attacks of piracy and armed robbery;

32. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,[13] and to ensure its effective implementation, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery at sea;

X. Safety of navigation

33. *Invites* the International Hydrographic Organization, in cooperation with other relevant international organizations and interested Member States, to provide the necessary assistance to States, in particular to developing countries, in order to enhance hydrographic capability to ensure, in particular, the safety of navigation and the protection of the marine environment;

XI. Marine environment, marine resources and sustainable development

34. *Welcomes* the adoption by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and urges States to take, as a matter of priority, all necessary steps to implement it effectively, including through relevant regional and subregional fisheries management organizations and arrangements;

35. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures, directly or through competent international organizations, for the protection and preservation of the marine environment;

36. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies

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[13] International Maritime Organization publication, Sales No. 462.88.12E.

and programmes, in an integrated and inclusive manner, as a means of implementing the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[6] and takes note of the review by the intergovernmental meeting in Montreal, Canada, from 26 to 30 November 2001;

37. *Calls upon* United Nations agencies and programmes identified in General Assembly resolution 51/189 of 16 December 1996 to continue to fulfil their roles in support of the Global Programme of Action, as well as to consult with Governments, representatives of the private sector, financial institutions and bilateral and multilateral donor agencies to review their involvement in the implementation of the Global Programme of Action and to consider, inter alia, what international support is needed to help overcome the obstacles to the preparation and implementation of national and local action programmes and how they can participate actively in partnership-building with developing countries for the transfer of the requisite technology in accordance with the Convention, and taking into account the relevant parts of Agenda 21, capacity-building and funding for the implementation of the Global Programme of Action;

38. *Calls upon* States to take measures for the protection and preservation of coral reefs and to support international efforts in this regard, in particular the measures outlined in the 1998 Renewed Call to Action of the International Coral Reef Initiative and in decision V/3 adopted by the Conference of the Parties to the Convention on Biological Diversity at its fifth meeting, held in Nairobi from 15 to 26 May 2000;[14]

39. *Emphasizes* the importance of ensuring that adverse impacts on the marine environment are taken into account when assessing and evaluating development programmes and projects;

40. *Once again urges* States to take all practicable steps, in accordance with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto,[15] to prevent pollution of the marine environment from ships and, in accordance with the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter,[16] to prevent pollution of the marine environment by dumping, and further calls upon States to become parties to and to implement the 1996 Protocol to the 1972 Convention;[17]

41. *Urges* States to continue to work, through the International Maritime Organization, on issues relating to the protection of the marine environment from degradation resulting from ship-based activities, including the transfer of harmful aquatic organisms and pathogens through ships' ballast water, and notes the adoption of the International Convention on the Control of Harmful Anti-fouling Systems on Ships;[18]

42. *Encourages* coastal States to enhance their national capacity and establish or improve their marine management systems in order to promote integrated marine management, the protection of the marine environment and ecosystem, and the sustainable development and utilization of marine resources, and

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[14] See UNEP/CBD/COP/5/23, annex III.

[15] United Nations, *Treaty Series*, vol. 1340, No. 22484.

[16] Ibid., vol. 1046, No. 15749.

[17] IMO/LC.2/Circ.380.

[18] International Maritime Organization, document AFS/CONF.26.

invites the relevant agencies of the United Nations system and regional organizations to take effective measures to assist the coastal States in this regard;

XII. Underwater cultural heritage

43. *Takes note* of the adoption by the United Nations Educational, Scientific and Cultural Organization of the Convention on the Protection of the Underwater Cultural Heritage;

XIII. Activities of the Division for Ocean Affairs and the Law of the Sea

44. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980 and to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Law of the Sea;

45. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea,[4] prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26 and 54/33;

46. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

XIV. International coordination and cooperation

47. *Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, taking into account resolution 54/33 establishing the consultative process to facilitate the review of developments in ocean affairs, and requests the Secretary-General to convene the third meeting of the Consultative Process in New York from 8 to 15 April 2002;

48. *Recommends* that, in view of the forthcoming World Summit on Sustainable Development, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its third meeting, the Consultative Process organize its discussions around the following areas:

(*a*) Protection and preservation of the marine environment;

(*b*) Capacity-building, regional cooperation and coordination, and integrated ocean management, as important cross-cutting issues to address ocean affairs, such as marine science and the transfer of technology, sustainable fisheries, the degradation of the marine environment and the safety of navigation;

49. *Requests* the Secretary-General to ensure more effective collaboration and coordination between the relevant parts of the Secretariat of the United Nations and the United Nations as a whole, in particular in ensuring the effectiveness,

transparency and responsiveness of the mechanism for coordination on ocean issues,[19] and also requests the Secretary-General to include in his report specific suggestions on initiatives to improve coordination, in particular at the inter-agency level, in accordance with resolution 54/33, and encourages all United Nations bodies to help this process by drawing to the attention of the Secretariat and the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination those areas of their work which may, directly or indirectly, affect the work of other United Nations bodies;

50. *Also requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

51. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities, and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

XV. Trust funds

52. *Recognizes* the importance of the trust funds established by the Secretary-General pursuant to General Assembly resolution 55/7 for the purpose of assisting States in the settlement of disputes through the Tribunal,[20] and of assisting developing countries, in particular the least developed countries and small island developing States, in the preparation of submissions to the Commission in compliance with article 76 of the Convention,[21] in defraying the cost of participation of Commission members in the meetings of the Commission,[22] and in attending the meetings of the Consultative Process;[23] and invites States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to these trust funds;

XVI. Fifty-seventh session of the General Assembly

53. *Decides* to devote two days of plenary meetings at the fifty-seventh session of the General Assembly, on 9 and 10 December 2002, to the consideration of the item entitled "Oceans and the law of the sea" and the commemoration of the twentieth anniversary of the opening for signature of the Convention, and encourages Member States and observers to be represented at the highest possible level;

54. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the implementation of the present resolution, including

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[19] The mechanism for coordination at this time is the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination, the status of which is currently under review as part of the reform of the machinery of the Administrative Committee on Coordination as a whole.

[20] See resolution 55/7, para. 9.

[21] Ibid., para. 18.

[22] Ibid., para. 20.

[23] Ibid., para. 45.

other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolution 54/33;

55. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled "Oceans and the law of the sea".

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[*without reference to a Main Committee (A/56/L.18 and Add.1)*]

56/13. Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea ("the Convention"),[1] including Part VII, section 2,

Recognizing that, in accordance with the Convention, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks ("the Agreement")[2] sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas,

Recognizing also the duty provided in the Agreement and reiterated as a principle in the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas ("the Compliance Agreement")[3] and the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations[4] for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do

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[1] See *The Law of the Sea: Official Texts of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 with Index and Excerpts from the Final Act of the Third United Nations Conference on the Law of the Sea* (United Nations publication, Sales No. E.97.V.10).

[2] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

[3] *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. II.

[4] Ibid., sect. III.

not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Noting with satisfaction the imminent entry into force of the Agreement due to the fact that thirty States have ratified or acceded to it, and noting also that the entry into force of the Agreement entails responsibilities for States parties and other important considerations as outlined in the Agreement,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Conscious of the need to promote and facilitate international cooperation, in particular at the regional and subregional levels, in order to ensure the conservation, management and long-term sustainability of the living marine resources of the world's oceans and seas, consistent with the present resolution, and deploring the fact that the straddling fish stocks and highly migratory fish stocks in many parts of the world are overfished or subject to heavy and sparsely regulated fishing efforts, mainly as a result of, inter alia, unauthorized fishing, inadequate regulatory measures and excess fishing capacity,

Conscious also that the Agreement requires States and entities to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks either directly or through appropriate subregional or regional fisheries management organizations or arrangements, taking into account the specific characteristics of the subregion or region, to ensure the effective conservation, management and long-term sustainability of such stocks, and to establish such organizations or arrangements where none exist,

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration by the General Assembly and review by the parties to the Agreement pursuant to the provisions of the Agreement, once in force, of developments relating thereto,

Welcoming the conclusion of negotiations, and the commencement of preparatory work, to establish new regional instruments, arrangements and organizations in several heretofore unmanaged fisheries, and noting the role of the Convention and the Agreement in the elaboration of these instruments, arrangements and organizations,

Welcoming also the fact that a growing number of States and other entities, as well as regional and subregional fisheries management organizations and arrangements, have enacted legislation, established regulations, adopted conventions or taken other measures as steps towards implementation of the provisions of the Agreement, even before its entry into force,

Taking into account that, in accordance with the Convention, the Code of Conduct for Responsible Fisheries and the Agreement, States fishing for straddling fish stocks or highly migratory fish stocks on the high seas, and relevant coastal States, shall give effect to their duty to cooperate by becoming members of the subregional or regional fisheries management organizations or participants in arrangements of that nature, or by agreeing to apply the conservation and management measures established by such organizations or arrangements, and that States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements,

Recognizing the obligation of States to cooperate, either directly or through subregional, regional or global organizations, to enhance the ability of developing States, in particular the least developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to develop their own fisheries for such stocks,

Recognizing also the importance of the Compliance Agreement, which builds upon the legal framework established by the Convention, and noting that while twenty-two States have accepted it, the Compliance Agreement has not yet entered into force,

Concerned that illegal, unreported and unregulated fishing, including that noted in the report of the Secretary-General,[5] threatens seriously to deplete populations of certain fish species, and in that regard urging States and entities to collaborate in efforts to address these types of fishing activities,

Welcoming the adoption by the Food and Agriculture Organization of the United Nations of an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which focuses on the primary responsibility of the flag State and the use of all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

Noting that the objective of the International Plan of Action is to prevent, deter and eliminate illegal, unreported and unregulated fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fisheries management organizations established in accordance with international law,

Recalling that the Food and Agriculture Organization of the United Nations in 1999 adopted international plans of action for the management of fishing capacity, for reducing the incidental catch of seabirds in longline fisheries and for the conservation and management of sharks,

Noting the importance of the wide application of the precautionary approach to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, in accordance with the Agreement,

Noting also the importance of implementing the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Noting further the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, adopted on 4 October 2001,[6]

Welcoming the report of the Secretary-General on recent developments and the current status of the Agreement,[7]

1. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (*b*), of the Agreement[2] that have not done so to ratify or accede to it and to consider applying it provisionally;

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[5] A/56/58/Add.1, para. 61.
[6] E/CN.17/2002/PC.2/3, annex.
[7] A/56/357.

2. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention,[1] which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

3. *Emphasizes* the importance of the entry into force and effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

4. *Urges* all States and other entities referred to in the Agreement to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation, management and long-term sustainability of such stocks, to agree upon measures necessary to coordinate and, where there are no subregional or regional fisheries management organizations or arrangements in respect of particular straddling or highly migratory fish stocks, to cooperate to establish such organizations or enter into other appropriate arrangements;

5. *Welcomes* the initiation of negotiations to establish regional and subregional fisheries management organizations or arrangements in several fisheries, and urges participants in those negotiations to apply provisions of the Convention and the Agreement to their work;

6. *Anticipates* the entry into force of the Agreement, and requests the Secretary-General, once the Agreement enters into force, to consult with States that have either ratified or acceded to the Agreement, for the purposes and objectives of, inter alia, considering the regional, subregional and global implementation of the Agreement; making any appropriate recommendation to the General Assembly on the scope and content of the annual report of the Secretary-General relating to the Agreement; and preparing for the review conference to be convened by the Secretary-General pursuant to article 36 of the Agreement;

7. *Calls upon* States to provide assistance to developing States as outlined in the Agreement, notes the importance of participation by representatives of developing States in forums in which fisheries issues are discussed, and once the Agreement enters into force, agrees to review the implementation of the provisions calling for assistance to developing States and to facilitate the establishment of a programme of assistance within the Agreement;

8. *Requests* the Secretary-General to include in his next report on the status and implementation of the Agreement a background study on the provisions of Part VII of the Agreement concerning requirements of developing States, taking into account existing arrangements and assistance to developing States that may be relevant under the Agreement, as well as suggesting possible forms of assistance;

9. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and expansion of

their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of those fisheries resources;

10. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement[3] that have not done so to accept that instrument and afterwards to implement it effectively;

11. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures in accordance with the Agreement that have been adopted by subregional and regional fisheries management organizations and arrangements;

12. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas without having effective control over their activities and to take specific measures, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

13. *Takes note* of the outcome of the first meeting of the Joint Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters of the Food and Agriculture Organization of the United Nations and the International Maritime Organization, held in Rome from 9 to 11 October 2000, which contained a number of recommendations aimed at enhancing flag State and port State control over fishing vessels, with a view to eliminating the roots of illegal, unreported and unregulated fishing;

14. *Calls upon* the Food and Agriculture Organization of the United Nations and its members, in cooperation with States and entities, with regional fisheries management organizations and arrangements and other competent international organizations, such as the International Maritime Organization, to address possible key issues constituting effective fishery-related flag State control of a fishing vessel;

15. *Urges* States, as a matter of priority, to coordinate their activities and cooperate directly and, as appropriate, through relevant regional fisheries management organizations, in the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing recently adopted by the Food and Agriculture Organization of the United Nations,[4] to develop national plans of action on illegal, unreported and unregulated fishing and management of fishing capacity, to promote information-sharing, to encourage the full participation of all stakeholders, and in all efforts to coordinate all the work of the Food and Agriculture Organization of the United Nations with other international organizations, including the International Maritime Organization;

16. *Encourages* States and other entities to integrate in an appropriate manner, including through subregional or regional fisheries management organizations or arrangements to which they are party or in which they are participants, the requirements for the protection of the environment, in particular those resulting from multilateral environmental agreements, in the management of straddling fish stocks and highly migratory fish stocks;

17. *Encourages* States to give effect to the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks, and to incorporate those principles in fisheries management at the national level and in

[4] See Report of the Committee on Fisheries, Twenty-fourth session, Rome, 26 February–2 March 2001

subregional or regional fisheries management organizations or arrangements to which they are party or in which they are participants, or as appropriate at the global level;

18. *Urges* all States to apply the precautionary approach widely to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, and calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the status and implementation of the Agreement and on the impact of the entry into force of the Agreement on related or proposed instruments and programmes throughout the United Nations system relating to straddling fish stocks and highly migratory fish stocks, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and including further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks and other aspects of the present resolution;

20. *Decides* to include in the provisional agenda of its fifty-seventh session, under the item entitled "Oceans and the law of the sea", the sub-item entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

67th plenary meeting
28 November 2001

United Nations A/RES/56/14

General Assembly

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Fifty-sixth session
Agenda item 64 (*b*)

Resolution adopted by the General Assembly

[*on the report of the First Committee (A/56/526)*]

56/14. Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolutions 53/72 of 4 December 1998 and 54/43 of 1 December 1999 on objective information on military matters, including transparency of military expenditures,

Also recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolutions 48/62 of 16 December 1993, 49/66 of 15 December 1994, 51/38 of 10 December 1996 and 52/32 of 9 December 1997, calling upon all Member States to participate in it, and its resolution 47/54 B of 9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide the Secretary-General with relevant information regarding their implementation,

Noting that since then national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Convinced that the improvement of international relations forms a sound basis for promoting further openness and transparency in all military matters,

Also convinced that transparency in military matters is an essential element for building a climate of trust and confidence between States worldwide and that a better flow of objective information on military matters can help relieve international tension and is therefore an important contribution to conflict prevention,

Noting the role of the standardized reporting system, as instituted through its resolution 35/142 B, as an important instrument to enhance transparency in military matters,

Conscious that the value of the standardized reporting system would be enhanced by a broader participation of Member States,

Welcoming, therefore, the report of the Secretary-General[1] on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the standardized reporting system,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the standardized reporting system,

Noting the efforts of several regional organizations to promote transparency of military expenditures, including standardized annual exchanges of relevant information among their member States,

1. *Calls upon* Member States to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using, preferably and to the extent possible, the reporting instrument as recommended in its resolution 35/142 B or, as appropriate, any other format developed in conjunction with similar reporting on military expenditures to other international or regional organizations, and, in the same context, encourages Member States that have no information to provide to submit nil returns;

2. *Recommends* the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

3. *Encourages* relevant international bodies and regional organizations to promote transparency of military expenditures and to enhance complementarity among reporting systems, taking into account the particular characteristics of each region, and to consider the possibility of an exchange of information with the United Nations;

4. *Takes note* of the report of the Secretary-General on objective information on military matters, including transparency of military expenditures;[2]

5. *Requests* the Secretary-General, within available resources:

(*a*) To continue the practice of sending an annual note verbale to Member States requesting the submission of data to the standardized reporting system, together with the reporting format and related instructions, and to publish in a timely fashion in appropriate United Nations media the due date for transmitting data on military expenditures;

(*b*) To circulate annually the reports on military expenditures as received from Member States;

(*c*) To continue consultations with relevant international bodies with a view to ascertaining requirements for adjusting the present instrument, with a view to encouraging wider participation, and to make recommendations, based on the outcome of those consultations and taking into account the views of Member States, on necessary changes to the content and structure of the standardized reporting system;

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[1] A/54/298.

[2] A/56/267.

(*d*) To encourage relevant international bodies and organizations to promote transparency of military expenditures and to consult with those bodies and organizations with emphasis on examining possibilities for enhancing complementarity among international and regional reporting systems and for exchanging related information between those bodies and the United Nations;

(*e*) To encourage the United Nations regional centres for peace and disarmament in Africa, in Asia and the Pacific, and in Latin America and the Caribbean to assist Member States in their regions in enhancing their knowledge of the standardized reporting system;

(*f*) To promote international and regional/subregional symposia and training seminars to explain the purpose of the standardized reporting system and to give relevant technical instructions;

(*g*) To report on experiences gained during such symposia and training seminars;

6. *Encourages* Member States:

(*a*) To inform the Secretary-General about possible problems with the standardized reporting system and their reasons for not submitting the requested data;

(*b*) To provide the Secretary-General, in time for deliberation by the General Assembly at its fifty-eighth session, with their views and suggestions on ways and means to strengthen and broaden participation in the standardized reporting system, including necessary changes to its content and structure;

7. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Objective information on military matters, including transparency of military expenditures".

68th plenary meeting
29 November 2001

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Fifty-sixth session
Agenda item 65

Resolution adopted by the General Assembly

[on the report of the First Committee (A/56/527)]

56/15. Verification in all its aspects, including the role of the United Nations in the field of verification

The General Assembly,

Noting the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations,

Reaffirming its support for the sixteen principles of verification drawn up by the Disarmament Commission,[1]

Recalling its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987, 43/81 B of 7 December 1988, 45/65 of 4 December 1990, 47/45 of 9 December 1992, 48/68 of 16 December 1993, 50/61 of 12 December 1995, 52/31 of 9 December 1997 and 54/46 of 1 December 1999,

Recalling also the reports of the Secretary-General of 11 July 1986, 28 August 1990, 16 September 1992, 26 July 1993, 22 September 1995, 6 August 1997, 9 July 1999 and 10 September 2001, and the addenda thereto,[2]

1. *Reaffirms* the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations;

2. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on further views received from Member States pursuant to resolutions 50/61, 52/31 and 54/46;

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[1] See *Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 3* (A/S-15/3), para. 60 (para. 6, sect. I, of the quoted text).

[2] A/41/422 and Add.1 and 2, A/45/372 and Corr.1, A/47/405 and Add.1, A/48/227 and Add.1 and 2, A/50/377 and Corr.1, A/52/269, A/54/166 and A/56/347.

3. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

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Having considered the report of the Ad Hoc Committee on the Indian Ocean,[3]

1. *Takes note* of the report of the Ad Hoc Committee on the Indian Ocean;[3]

2. *Reiterates its conviction* that the participation of all permanent members of the Security Council and the major maritime users of the Indian Ocean in the work of the Ad Hoc Committee is important and would greatly facilitate the development of a mutually beneficial dialogue to advance peace, security and stability in the Indian Ocean region;

3. *Requests* the Chairman of the Ad Hoc Committee to continue his informal consultations with the members of the Committee and to report through the Committee to the General Assembly at its fifty-eighth session;

4. *Requests* the Secretary-General to continue to render, within existing resources, all necessary assistance to the Ad Hoc Committee, including the provision of summary records;

5. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace".

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[3] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 29* (A/56/29).

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Fifty-sixth session
Agenda item 67

Resolution adopted by the General Assembly

[*on the report of the First Committee (A/56/529)*]

56/17. African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)

The General Assembly,

Recalling its resolution 54/48 of 1 December 1999 and all its other relevant resolutions, as well as those of the Organization of African Unity,

Recalling also the successful conclusion of the signing ceremony of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)[1] that was held at Cairo on 11 April 1996,

Recalling further the Cairo Declaration adopted on that occasion,[2] which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

Noting the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996,[3] in which it was stated that the signature of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. *Calls upon* African States that have not yet done so to sign and ratify the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)[1] as soon as possible so that it may enter into force without delay;

2. *Expresses its appreciation* to the nuclear-weapon States that have signed the Protocols that concern them, and calls upon those that have not yet ratified the Protocols concerning them to do so as soon as possible;

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[1] See A/50/426, annex.

[2] A/51/113-S/1996/276, annex.

[3] S/PRST/1996/17; see *Resolutions and Decisions of the Security Council, 1996*.

3. *Calls upon* the States contemplated in Protocol III to the Treaty that have not yet done so to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

4. *Calls upon* the African States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[4] that have not yet done so to conclude comprehensive safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty, thereby satisfying the requirements of article 9 (*b*) of and annex II to the Treaty of Pelindaba when it enters into force, and to conclude additional protocols to their safeguards agreements on the basis of the Model Protocol approved by the Board of Governors of the Agency on 15 May 1997;[5]

5. *Expresses its gratitude* to the Secretary-General of the United Nations, the Secretary-General of the Organization of African Unity and the Director General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

6. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "African Nuclear-Weapon-Free Zone Treaty".

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[4] United Nations, *Treaty Series*, vol. 729, No. 10485.

[5] International Atomic Energy Agency, INFCIRC/540 (Corrected).